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ABSTRACT

Intended for use by cooperative education program coordinators, this module deals with various Michigan rules and regulations as they pertain to students enrolled in vocational cooperative education programs. The following regulations/areas are covered: driving vehicle regulations, mechanic trainee certification, health facility standards, alcoholic beverages, eye safety protection, work permit issuance, and student state-aid membership. Designed to be a self-paced instructional package, the module contains a pre-test, answer key, scoring instructions, a reinforcement exercise, case studies with appropriate answers, and additional agency and printed resources. (MN)

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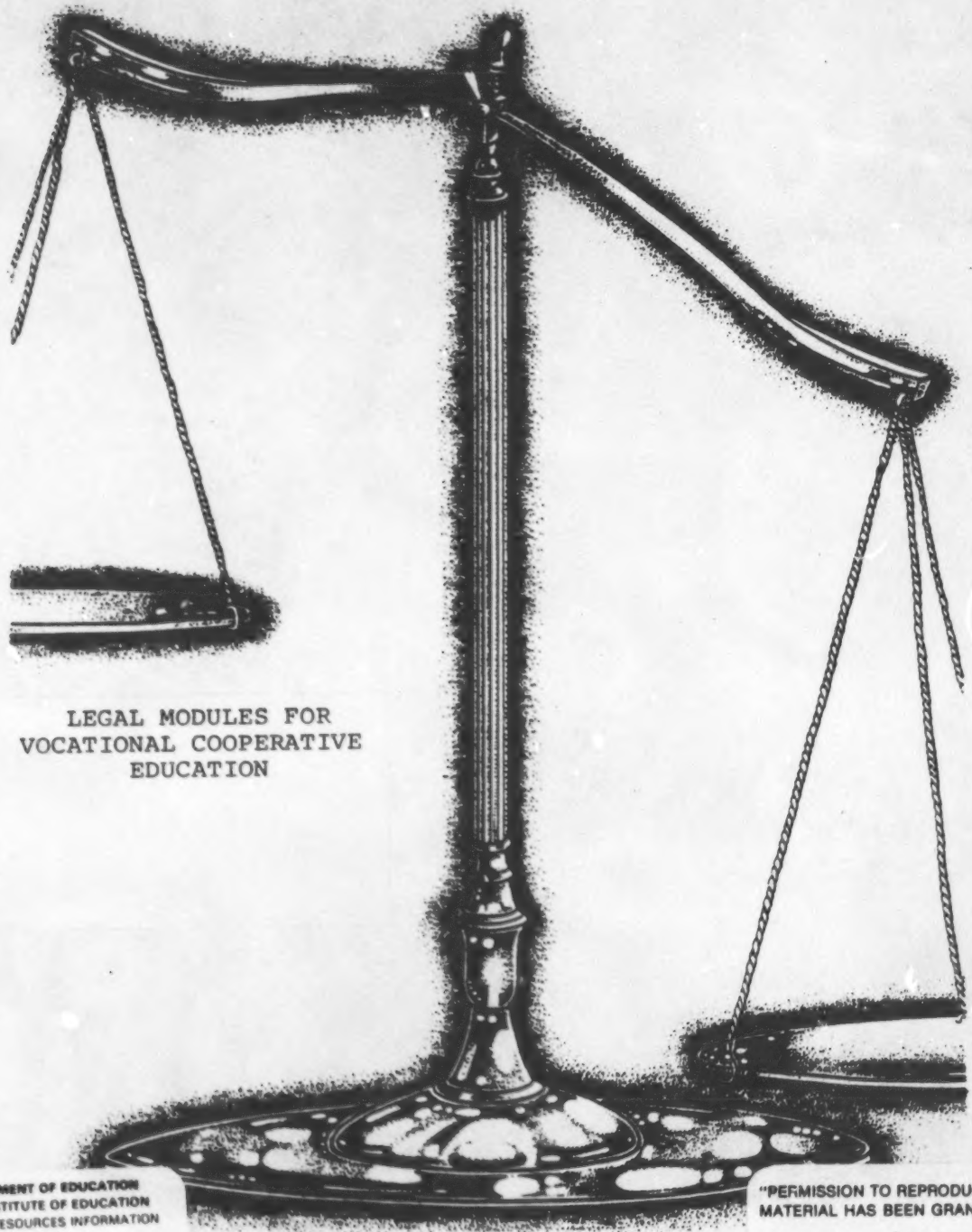
MICHIGAN RULES AND REGULATIONS

Secretary of State:	Driving Vehicle Regulations
	Mechanic Trainee Certification
Department of Public Health:	Health Facility Standards
Department of Commerce:	Alcoholic Beverages
Department of Education:	Eye Safety Protection
	Work Permit Issuance
	Student State Aid Membership



LEGAL MODULES FOR
VOCATIONAL COOPERATIVE
EDUCATION

CE 034 166

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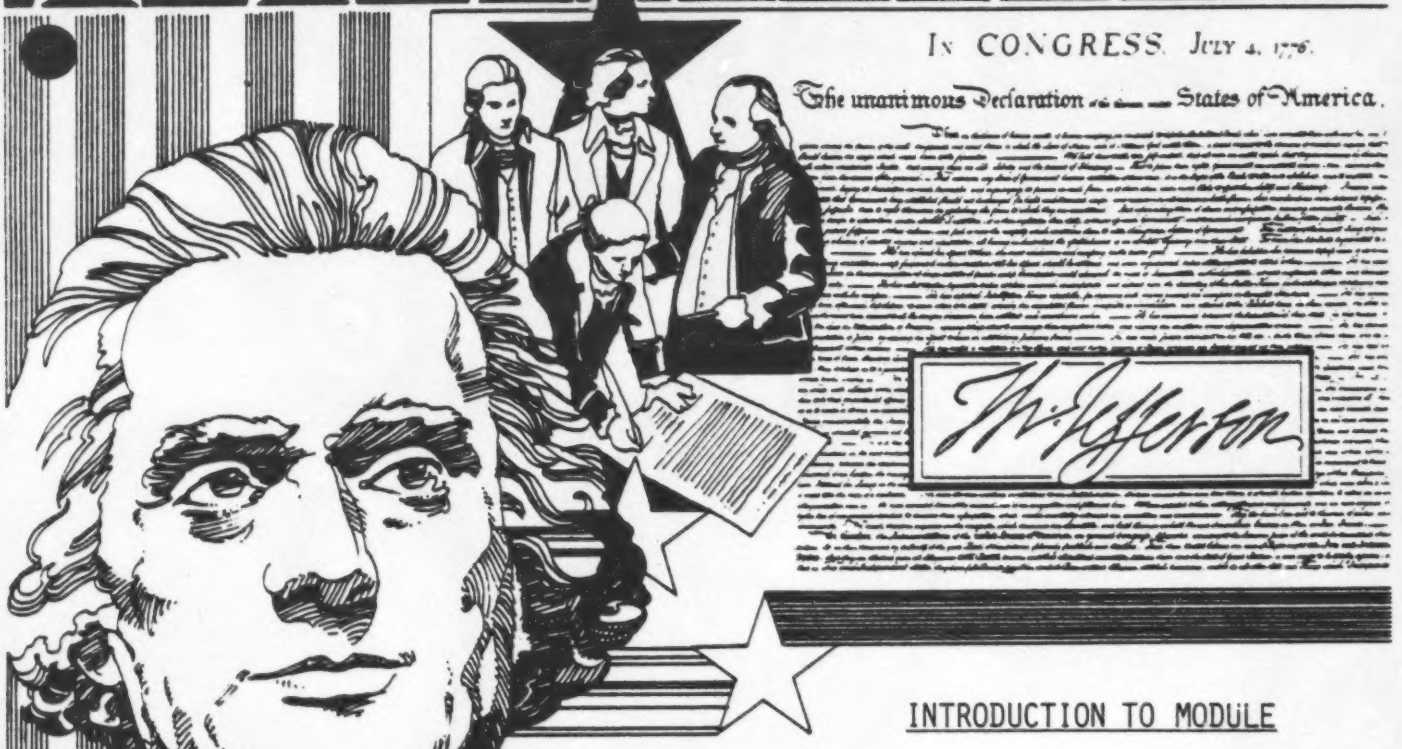
NOTE: This Module is not intended to serve as an in-depth or legally definitive analysis concerning the law, rule or regulation discussed. It does, however, represent an overview and an administrative opinion of the writers and may be subject to change or further clarification.



INTRODUCTION TO MODULE

OBJECTIVES

1. The coordinator will be able to describe the law, rule or regulation to students, employers, teachers, parents/guardians and administrators.

2. The coordinator will apply the law, rule or regulation to specific cooperative education training situations.

EXEMPTION TEST

A basic concept of competency-based education is to provide instruction that will meet individual needs and abilities. The first step is to determine if you already have the knowledge, skills, or judgments in question. So, you're being asked to take an Exemption Test. The Exemption Test is self-paced.

DIRECTIONS

1. The Exemption Test assesses your knowledge. It is administered before instruction; passage exempts you from the module.

2. Use the Exemption Test before working through the module.

EXEMPTION TEST

Directions: Read the statements below and mark with an (X) those statements which are true in reference to Michigan Rules and Regulations as they apply to employment of cooperative education students.

_____1. An administrative rule on employment is the same as a Michigan law on employment.

_____2. A cooperative education student employed in a nursing home to give nursing care on the night shift shall be at least 18 years of age.

_____3. Cooperative education students employed in a nursing home to give nursing care shall be at least 17 years of age.

_____4. A cooperative education student, who is under 18 years of age, cannot receive in any period of 1 calendar quarter, radiation in excess of 2.25 Rem per quarter.

_____5. According to Public Act 54 of 1972, it is the responsibility of the school to insure that cooperative education students employed in selected occupations have approved eye protection devices.

_____6. An employer can fire a cooperative education student because the student refuses to take a polygraph test.

_____7. The Polygraph Protection Act of 1982, states that an employer can demand that a job applicant take a polygraph test as a condition for future employment.

_____8. Work permits are required for cooperative education students according to the Public Act 90 of 1978, "Youth Employment Standards Act".

_____9. A cooperative education student can work in a restaurant which has food sales of 40% and liquor sales of 60%.

_____10. The Michigan Minimum Wage provides for a minimum wage rate for all employees over the age of 18 and who are employed by establishments having two or more employees over the age of 18.

_____11. If a cooperative education student, age 16 or 17, works where beverage alcohol is sold, the cooperative education student is considered an employee for the purpose of establishing minimum wage coverage.

_____12. A school district may count a cooperative education student for full-time membership and financial aid purposes, if the student is taking four units of credit for the year.

_____13. A cooperative education student working as a motor vehicle repair trainee must apy a $20 mechanic trainee permit fee.

_____14. A mechanic trainee permit application must be filed for all cooperative education students who are working as motor vehicle repair specialists.

_____15. A mechanic trainee permit makes it possible for a mechanic who was unable to become certified in one or more repair categories to continue working under the supervision of a state certified mechanic.

_____16. Cooperative education students who hold a valid State of Michigan driver's license may drive an auto or truck not exceeding 6,000 pounds during daylight hours if such driving is "occasional and incidental" to the job.

_____17. The term "motor vehicle" means any automobile or truck, propelled or drawn by mechanical power and designed for use as a means of transportation. Motorcycles, lift trucks are not included in this definition.

_____18. Cooperative education students must be 18 before they can apply for a chauffeur's license.

_____19. Cooperative education students driving motor vehicles being used as a public or common carrier of persons or property must apply for a chauffeur's license.

_____20. A cooperative education student under 18 years of age can make regular pizza deliveries.

ANSWER KEY

THE CORRECT ANSWERS FOR THE MICHIGAN RULES AND REGULATIONS ARE AS FOLLOWS:

_____1. False. Rule means an agency regulation, statement, standard, policy, ruling or instruction of general applicability, which implements or applies laws enforced or administered by the agency, or which prescribes the organization, procedure or practice of the agency, including the amendment, suspension or rescision thereof. However, an administrative rule has the same affect as the law.

_____2. True

_____3. True

_____4. False. A cooperative education student, who is under 18 years of age, cannot receive in any period of 1 calendar quarter, radiation in excess of 1.25 Rems per quarter.

_____5. True

_____6. False. HB 4402 creates the Polygraph Protection Act of 1982 which prohibits an employer from requiring, as a condition of employment or change in employment status, than an applicant or employee take a polygraph test.

_____7. False. HB 4402 prohibits denial of employment solely on the basis of refusal to take a polygraph examination.

_____8. False. Training agreements can replace work permits for cooperative education students.

_____9. True

_____10. True

_____11. True

_____12. True

_____13. False. The cooperative education student does not have to pay the $20 mechanic trainee permit fee. However, an application with an attached training agreement must be sent to the Bureau of Automotive Regulation.

ANSWER KEY

_____14. True

_____15. True

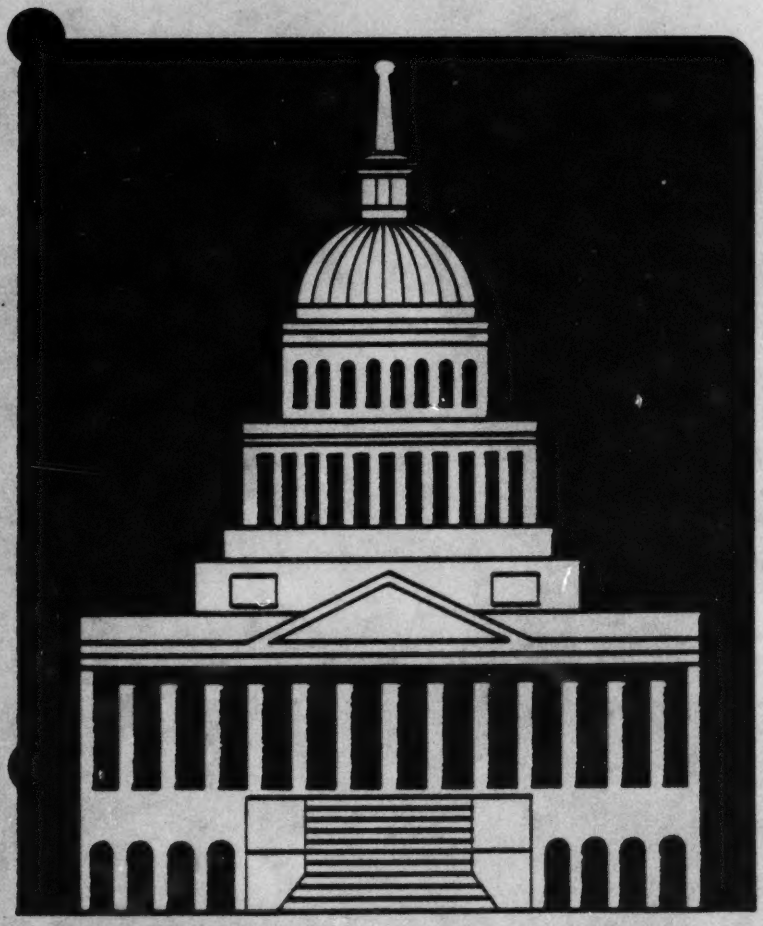
_____16. True

_____17. True

_____18. True

_____19. True

_____20. False. All motor vehicle driving done by cooperative education students must be "occasional and incidental" and not a regularly scheduled job duty.



SCORING INSTRUCTIONS

19-20 Correct.....You know the Michigan Rules and Regulations.

17-18 Correct.....You have excellent knowledge about Michigan Rules and Regulations, but you may want to read the next section, Acquiring Knowledge About Michigan Rules and Regulations.

15-16 Correct.....You did fairly well, you should read more about Michigan Rules and Regulations.

1-14 Correct.....Read on, you must learn more about Michigan Rules and Regulations.

REINFORCEMENT EXERCISE

DIRECTIONS: Read the question, answer the question and then compare your answer with the answer provided. Using a blank sheet of paper to cover the answers helps you to acquire knowledge. Good luck.

ACQUIRING KNOWLEDGE ABOUT MICHIGAN RULES

ANSWERS

F 1. A rule means?

A. An agency regulation
B. An agency statement
C. An agency standard
D. An agency policy
E. An agency ruling or instruction of general applicability
F. All of the above
G. None of the above

B 2. Employees in nursing homes giving nursing care shall be at least?

A. 16 years of age
B. 17 years of age
C. 18 years of age

C 3. Employees in nursing homes giving nursing care during the night shift must be at least?

A. 16 years of age
B. 17 years of age
C. 18 years of age

C 4. The maximum radiation permissible dose equivalent for occupational exposure is?

A. 3.25
B. 2.25
C. 1.25

C 5. Michigan House Bill 4402, which created the Polygraph Protection Act of 1982, states?

A. That an employer can require a polygraph test before employment
B. That an employer can fire an employee if this employee refuses to take a polygraph test
C. That an employer is prohibited from requiring a polygraph test before hiring

ACQUIRING KNOWLEDGE ABOUT MICHIGAN RULES AND REGULATIONS

ANSWERS

C

6. Which of the following acts require all schools in Michigan to insure that cooperative education students employed in specified occupations have approved eye protection devices?

   A. Public Act No. 34 of 1972
   B. Public Act No. 44 of 1972
   C. Public Act No. 54 of 1972

B

7. A school district can count a cooperative education student as a full-time pupil for membership purposes if the student is taking?

   A. Three units of credit for the year
   B. Four units of credit for the year
   C. Five units of credit for the year

A

8. The Michigan Secretary of State?

   A. Exempts secondary cooperative education students employed in a motor vehicle repair job from paying a $20 mechanic trainee permit fee
   B. Requires that secondary cooperative education students employed in a motor vehicle repair job pay a $20 mechanic trainee permit fee

A

9. A requirement for a cooperative education student working as a motor vehicle repair specialist is to?

   A. Complete the Application for Motor Vehicle Mechanic Trainee permit and to mail it to the Michigan Department of State, Bureau of Automotive Regulation, Lansing, MI 48918
   B. Complete the Application for Motor Vehicle Mechanic Trainee Permit and to mail it to the Federal Control of Drivers, Bureau of Automotive Regulation, Reston, VA 02296

ANSWERS

E

10. The Application for Motor Vehicle Mechanic Trainee Permit enables a student enrolled in cooperative education to?

    A. Work under the direct supervision of a master mechanic in engine repair
    B. Work under the direct supervision of a master mechanic in engine tune-up
    C. Work under the direct supervision of a master mechanic in automatic transmission
    D. None of the above
    E. A, B, C

D

11. Cooperative education students are permitted to drive motor vehicles which weigh 10,000 lbs. and up when?

    A. The driving is occassional and incidental to the work
    B. The driving requires a chauffeur's license
    C. The driving is done during the day
    D. None of the above
    E. All of the above

A

12. If driving for the student enrolled in cooperative education is "incidental and occasional" it should be?

    A. Included on the training agreement and not part of a regular schedule
    B. Included on the "Offer to Employ Form"

C

13. The following cooperative education students may apply for a chauffeur's license?

    A. Age 16 and older
    B. Age 17 and older
    C. Age 18 and older

D

14. Motor vehicle means?

    A. Motorcycles
    B. Lift trucks
    C. Vehicles operated on rails
    D. Automobiles or trucks propelled or drawn by mechanical power

You be the judge...

CASE STUDIES

1. A cooperative office education employer calls you with this job request: An office coop student who can type, file post accounts, answer the telephone and once a week make a delivery to the bank which requires the driving of a car. Can a cooperative education coordinator accept this job request?
   Eulalie Ligeski, Huron High School, Ann Arbor

2. Jim Jersey works as a cooperative education child care worker in a nursery. His employer requires Jim to pick up the children enrolled in the program with his car. Jim is not 18. As the cooperative education coordinator what would you tell the employer about Jim's driving?
   Jack Humbert and Carl Woloszyk

3. Betty Lujan works for the Easy Pizza Company. Betty's employer asks you, the coordinator, if Betty can work as a panel truck delivery driver for 20 hours each week.
   Carl Woloszyk and Jack Humbert

4. E. J. Washington works as an office coop student. On the first week of employment "E.J." is asked to drive to the post office during work to drop off the office mail. The training station sponsor asks you for approval of this duty. Your answer would be?
   Jack Humbert and Carl Woloszyk

You be the judge...

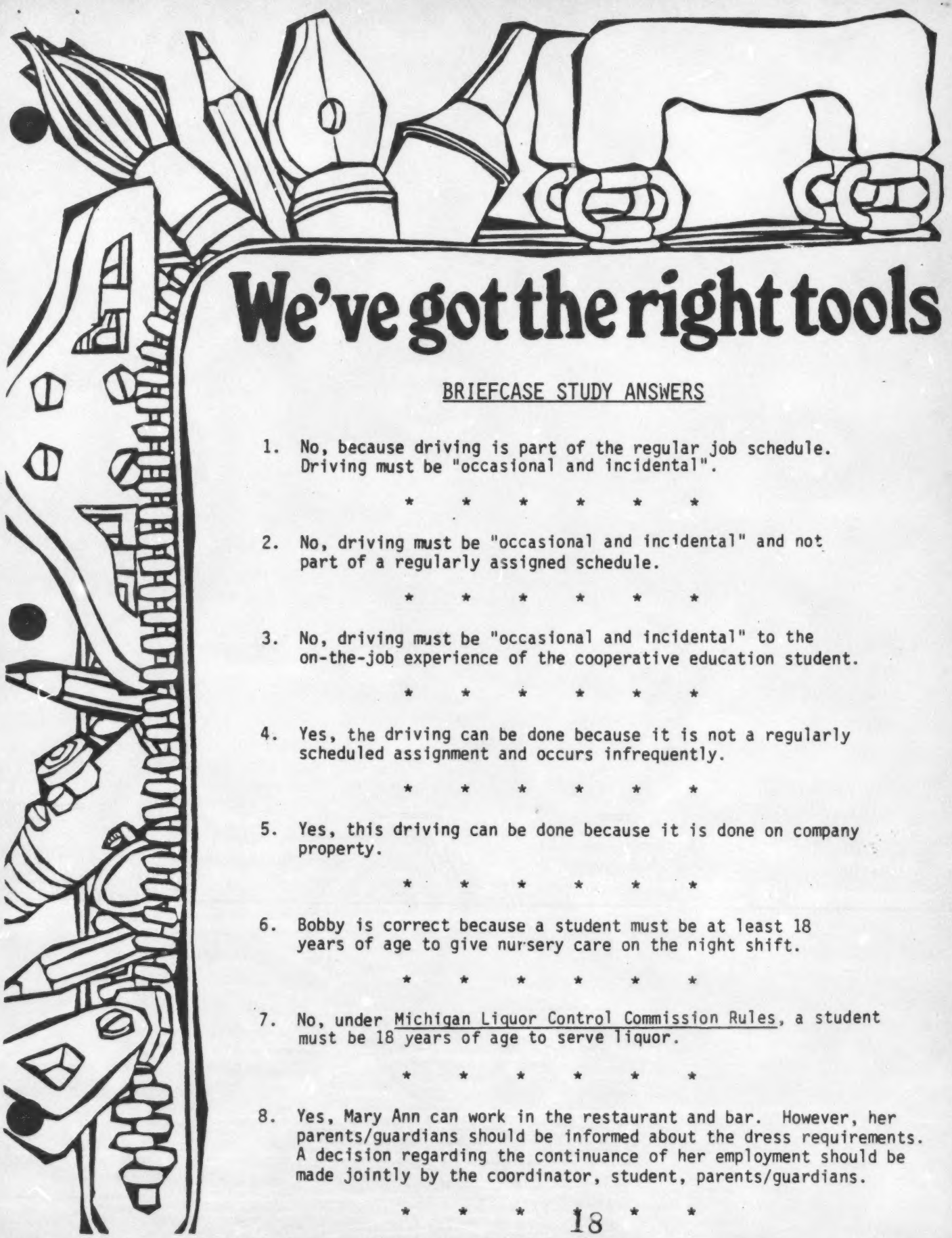
5. Jack Vanderweel is employed by a vegetable harvesting equipment manufacturer. He has been working at the Juice Harvesting Company for five months in the parts department. Jack has a driver's license and has had previous experience in driving forklifts. The cooperative education training sponsor asks Jack to move the forklifts at the end of the day. This duty requires Jack to drive the forklifts each day to a security section of the plant. Can Jack continue to do this assignment?
Beatrice Finch, Newaygo County Area Vocational Center

6. Bobby Bee, age 17, works in a nursing home. On school nights Bob has requested that work at the nursing home end at 9:30 p.m. Bob's training station sponsor states that he must work a part of the night shift. The reason for this time schedule is justified by the training station sponsor as follows: Bob must be counted in the employee-patient ratio as mandated by the Public Health Department. Bobby maintains that the nursing home can not keep him on the night shift. What would you tell Bobby?
Ursula Hess and Cheryl Ireland, East Detroit High School

7. Barney Galles works in a restaurant. He comes to you and complains that the training station is breaking the law. This training station wants Barney to serve drinks when the restaurant gets busy. Barney is 17 and will be 18 next month. What would you tell Barney about serving drinks?
Dirk Schuiteboer, Gull Lake High School

You be the judge...

8. After the summer months you learn that Mary Ann Lowe, age 17, is working in a singles restaurant and bar. She must wear revealing costumes. The restaurant/bar does 70% food and 30% liquor. The cooperative education coordinator tells Mary Ann to quit her job because it is against the law and morally damaging. If this cooperative education coordinator was your friend, what would you tell this coordinator about her decision for Mary Ann?
Pat Conway, Lamphere High School, Madison Heights



We've got the right tools

BRIEFCASE STUDY ANSWERS

1. No, because driving is part of the regular job schedule. Driving must be "occasional and incidental".

* * * * * *

2. No, driving must be "occasional and incidental" and not part of a regularly assigned schedule.

* * * * * *

3. No, driving must be "occasional and incidental" to the on-the-job experience of the cooperative education student.

* * * * * *

4. Yes, the driving can be done because it is not a regularly scheduled assignment and occurs infrequently.

* * * * * *

5. Yes, this driving can be done because it is done on company property.

* * * * * *

6. Bobby is correct because a student must be at least 18 years of age to give nursery care on the night shift.

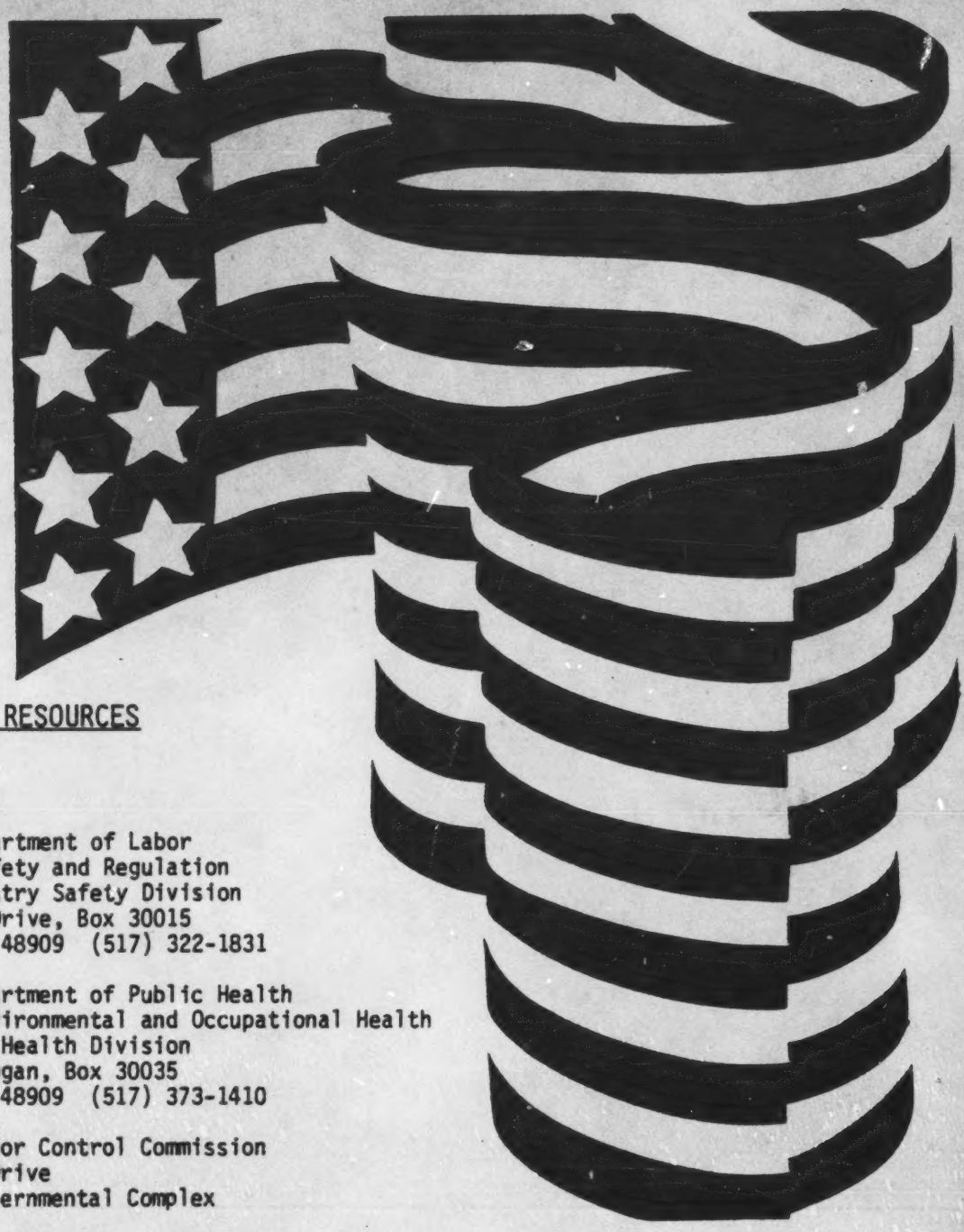
* * * * * *

7. No, under Michigan Liquor Control Commission Rules, a student must be 18 years of age to serve liquor.

* * * * * *

8. Yes, Mary Ann can work in the restaurant and bar. However, her parents/guardians should be informed about the dress requirements. A decision regarding the continuance of her employment should be made jointly by the coordinator, student, parents/guardians.

* * * * *



ADDITIONAL RESOURCES

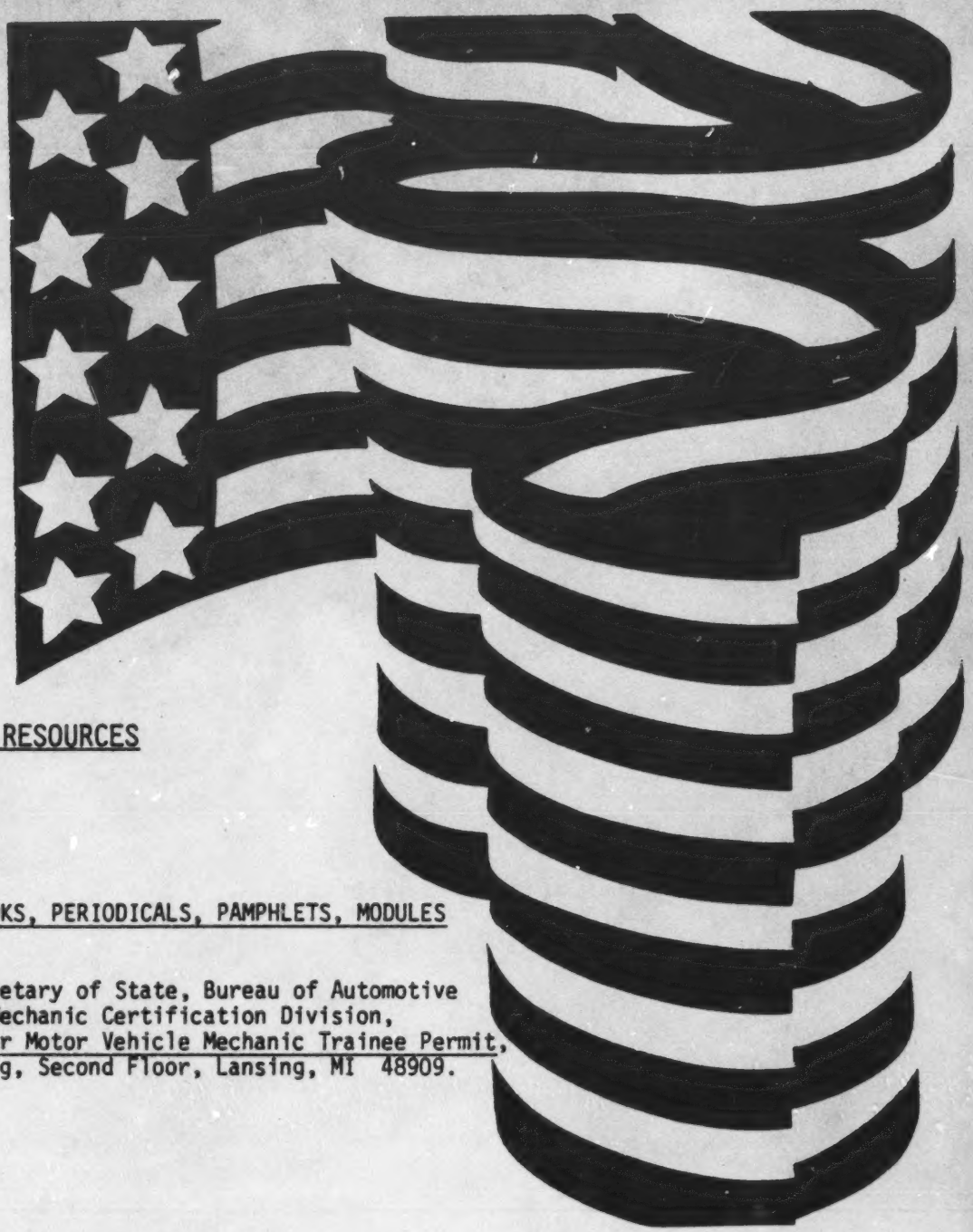
AGENCIES

Michigan Department of Labor
Bureau of Safety and Regulation
General Industry Safety Division
7150 Harris Drive, Box 30015
Lansing, MI 48909 (517) 322-1831

Michigan Department of Public Health
Bureau of Environmental and Occupational Health
Occupational Health Division
3500 North Logan, Box 30035
Lansing, MI 48909 (517) 373-1410

Michigan Liquor Control Commission
7150 Harris Drive
Secondary Governmental Complex
Box 30005
Lansing, MI 48909 (517) 322-1345

Michigan Secretary of State
Bureau of Automotive Regulation
Mechanic Certification Division
Mutual Building
Second Floor
Lansing, MI 48909 (517) 373-9060



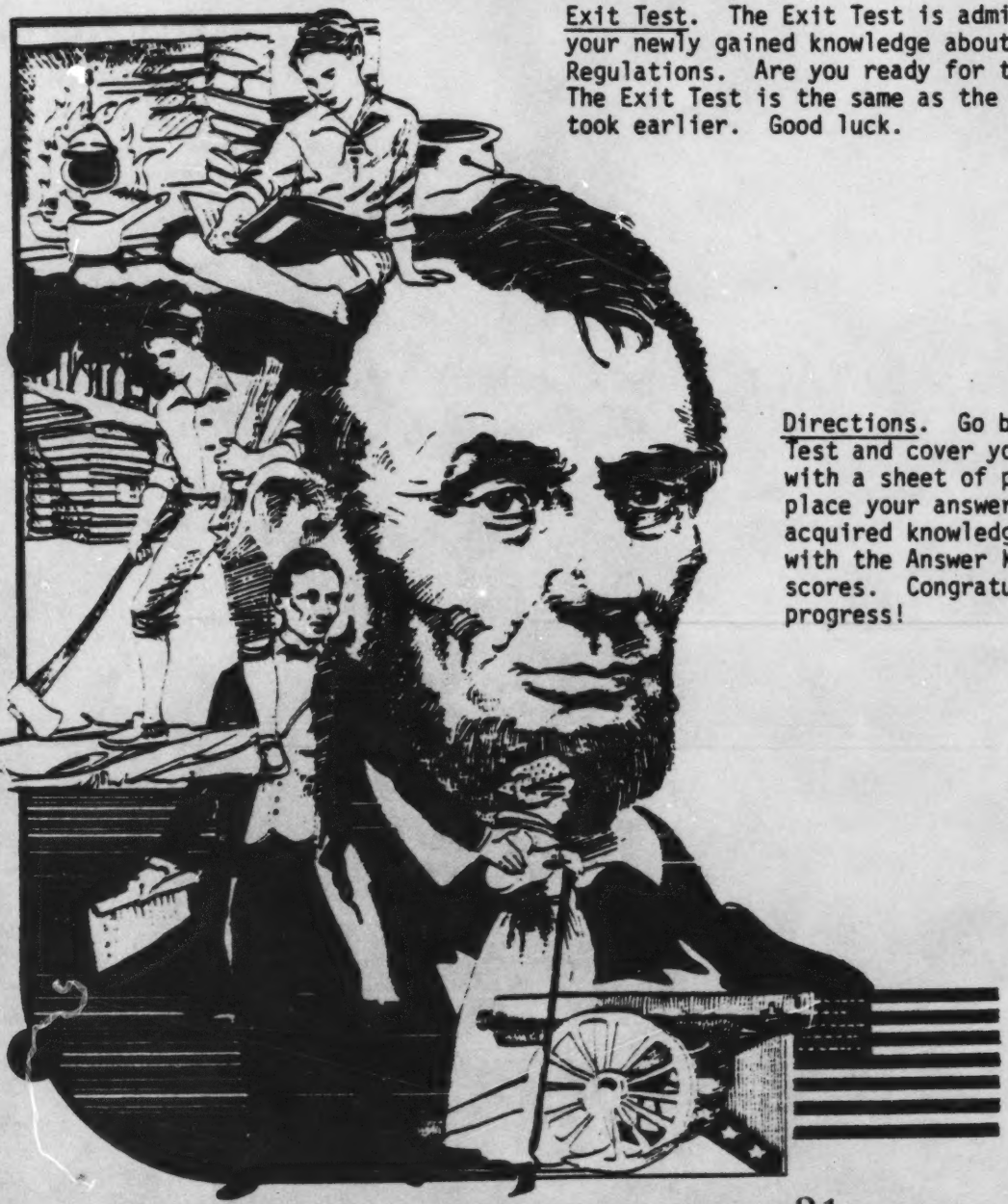
ADDITIONAL RESOURCES

REFERENCE BOOKS, PERIODICALS, PAMPHLETS, MODULES

Michigan Secretary of State, Bureau of Automotive Regulation, Mechanic Certification Division, Applicaton for Motor Vehicle Mechanic Trainee Permit, Mutual Builing, Second Floor, Lansing, MI 48909.

EXIT TEST

MICHIGAN RULES AND REGULATIONS



Exit Test. The Exit Test is administered to assess your newly gained knowledge about Michigan Rules and Regulations. Are you ready for the final evaluation? The Exit Test is the same as the Exemption Test you took earlier. Good luck.

Directions. Go back to the Exemption Test and cover your original answers with a sheet of paper. On this paper place your answers based on your newly acquired knowledge. Check your answers with the Answer Key and compare your scores. Congratulations on your progress!

MICHIGAN STATE BOARD OF EDUCATION

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